

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

Specification

The disclosure was objected to because of informalities appearing on pages 8, 9 and 12. Those informalities have been corrected, and the objection is traversed. In addition, the entire specification has been carefully reviewed, and typographical errors have been corrected.

The objection to the specification is thereby traversed.

Claims Rejection -35 U.S.C. § 102

The Office Action rejected claims 1, 2, and 12-14 under 35 U.S.C. 102(b) as being anticipated by Gillespie et al. Applicant respectfully disagrees.

Gillespie et al. teach a well controlling apparatus for automatically shutting off flow from a well when the flow becomes excessive.

The Office Action alleges that Gillespie et al. teach a well stimulation mandrel 6. Reference numeral 6 indicates a tubing hanger well known in the art. The tubing hanger 6 cannot be used as a well stimulation tool mandrel. In any event, the tubing hanger 6 does not meet the claimed limitation of "a pin thread on an outer periphery thereof for engaging a box thread in a top of a central passage through the tubing mandrel." It is therefore respectfully submitted that, for at least this reason, independent claims 1, 12, 13 and 14 are allowable over Gillespie et al.

The Office Action explains that claim 1 does not call for a backpressure plug or a specific diameter, so that any tool having a central flow bore would be seen to have the limitation concerning the diameter of the backpressure plug. Applicant respectfully disagrees.

Nonetheless, claims 1 and 12-14 are amended to specifically recite the diameter required within the well stimulation tool mandrel. As amended, the axial bore of the well stimulation tool mandrel must have a diameter larger than an outer diameter of a backpressure plug for engaging backpressure threads in the central passage through the tubing mandrel to seal the central passage and contain well pressure within the well tubing string, while meeting the limitation of having a bottom end with a pin thread on an outer periphery thereof received in a box thread in a top of

the central passage. Consequently, not only must the well stimulation tool have a bottom end with pin threads on an outer periphery thereof for engaging box threads in a top of the central passage through the tubing mandrel, the axial bore must also meet the diameter limitation called for in the respective claims. It is therefore respectfully submitted that any tool having a central flow bore would not thereby necessarily meet the limitations now fully expressed in claims 1 and 12-14.

The rejection of claims 1 and 12-14 is thereby traversed.

The Office Action further rejected claim 12 under 35 U.S.C. 102(b) as being anticipated by Applicant's issued United States Patent No. 6,220,363. Applicant respectfully disagrees.

Applicant's issued patent teaches a well stimulation mandrel with an outer surface that includes an upper section having a first diameter and a lower section having a second diameter smaller than the first diameter. A sealing shoulder formed between the upper and lower sections supports elastomeric O ring seals. In an operative position, the lower section of the mandrel extends downwardly past the backpressure valve threads and the tubing threads into the production tubing (column 5, lines 64-67). Consequently, Applicant's prior patent teaches directly away from the claimed invention.

The rejection of claim 12 is thereby traversed.

Allowable Subject Matter

Applicant gratefully acknowledges the allowance of claims 6-11 and 15. New claims 16-20 depended from allowed claim 15 have been added to this application.

Applicant likewise gratefully acknowledges the notice that claims 3-5 were objected to as being dependent on a rejected base claim but would be allowed if rewritten in independent form. However, Applicant respectfully submits that in view of the above-noted amendments, claims 1-20 now pending in this application are respectively in a condition for allowance.

Favourable reconsideration and early issuance of a Notice of Allowance is therefore requested.

Respectfully submitted,

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& SCARBOROUGH, L.L.P.

A handwritten signature in dark ink, appearing to read 'Kenneth C. Bruley', is written over a horizontal line.

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AMENDMENTS TO THE DRAWINGS:

Please amend Figures 1-9 with attached Figures 1-9.